

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

John Doe, TUID 915019978
6467 River Birchfield Road
Jamesville, NY 13078

(b) County of Residence of First Listed Plaintiff Onondaga County, NY
(EXCEPT IN U.S. PLAINTIFF CASES)

DEFENDANTS

Temple University
1801 N. Broad Street
Philadelphia, PA 19122

County of Residence of First Listed Defendant Philadelphia County, PA
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

(c) Attorney's (Firm Name, Address, and Telephone Number)

Patricia M. Hoban, Esquire, Two Penn Center, Suite 200, 1500 John F. Kennedy Boulevard, PA 19102 (215) 854-6332

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- | | |
|--|---|
| <input type="checkbox"/> 1 U.S. Government Plaintiff | <input type="checkbox"/> 3 Federal Question
(U.S. Government Not a Party) |
| <input type="checkbox"/> 2 U.S. Government Defendant | <input type="checkbox"/> 4 Diversity
(Indicate Citizenship of Parties in Item III) |

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF	PTF	DEF	
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	PERSONAL INJURY	PERSONAL INJURY	<input type="checkbox"/> 610 Agriculture	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 362 Personal Injury - Med. Malpractice	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	PROPERTY RIGHTS	<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 480 Consumer Credit
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 390 Other Personal Injury	LABOR	<input type="checkbox"/> 810 Selective Service
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 410 Voting	<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 850 Securities/Commodities/ Exchange
<input type="checkbox"/> 195 Contract Product Liability		<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 790 Other Labor Litigation	<input type="checkbox"/> 875 Customer Challenge 12 USC 3410
<input type="checkbox"/> 196 Franchise		<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY	CIVIL RIGHTS	Habeas Corpus:	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 892 Economic Stabilization Act
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 530 General	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 894 Energy Allocation Act
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 540 Mandamus & Other	<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other	<input type="checkbox"/> 555 Prison Condition	FEDERAL TAX SUITS	<input type="checkbox"/> 950 Constitutionality of State Statutes
	<input type="checkbox"/> 440 Other Civil Rights		<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	
			<input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	
			IMMIGRATION	
			<input type="checkbox"/> 462 Naturalization Application	
			<input type="checkbox"/> 463 Habeas Corpus - Alien Detainee	
			<input type="checkbox"/> 465 Other Immigration Actions	

V. ORIGIN

(Place an "X" in One Box Only)

- | | | | | | | |
|--|---|--|---|--|---|----------------------------|
| <input type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from another district (specify) | <input type="checkbox"/> 6 Multidistrict Litigation | <input type="checkbox"/> 7 |
|--|---|--|---|--|---|----------------------------|

Appeal to District Judge from Magistrate Judgment

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

28 USC see 1332 (Diversity / Damages in excess of \$75,000); Civil Rights

Brief description of cause:

libel / slander Civil Rights Violations

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DEMAND \$ in excess of \$75,000

CHECK YES only if demanded in complaint:

JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

9/3/2013

BaD m Hoban 1 PMH 4472

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFF _____ JUDGE _____ MAG. JUDGE _____

**CIVIL COVER SHEET
CONTINUATION**

DEFENDANTS

KORNBERG SCHOOL OF DENTISTRY :
TEMPLE UNIVERSITY :
1801 N. Broad Street :
Philadelphia, PA 19122 :

and :

NEIL D. THEOBALD, individually and as :
President of Temple University :
1801 N. Broad Street :
Philadelphia, PA 19122 :

and :

AMID I. ISMAIL, BDS, MPH, MBA, Dr PH, individually :
and Dean, Kornberg School of Dentistry Temple University :
1801 N. Broad Street :
Philadelphia, PA 19122 :

and :

DEAN AINSLEY CARRY, individually and as :
Dean of Student Affairs :
1801 N. Broad Street :
Philadelphia, PA 19122 :

and :

ANDREA CAPORALE SEISS, individually and as :
Senior Associate Dean of Students :
1801 N. Broad Street :
Philadelphia, PA 19122 :

and :

THERESA A. POWELL, individually and as :
Vice-President for Student Affairs :
1801 N. Broad Street :
Philadelphia, PA 19122 :

and :

REBEKA RHODES, individually and as Student Conduct :
Administrator for Student Affairs :
1801 N. Broad Street :
Philadelphia, PA 19122 :

and :

THE TEMPLE UNIVERSITY REVIEW
BOARD, and its members
1801 N. Broad Street
Philadelphia, PA 19122

and

Lisa P. Deem, DMD, JD, individually and as
Associate Dean For Admissions, Diversity and Student
Services Faculty Ombudsperson
1801 N. Broad Street
Philadelphia, PA 19122

and

Tom M. Johnson, individually and as, Program
Coordinator for the Office of Student Conduct
and Community Standards
1801 N. Broad Street
Philadelphia, PA 19122

and

Elizabeth Mannion, individually and as
Chair of the University Disciplinary Board
1801 N. Broad Street
Philadelphia, PA 19122

and

Hana Hasson, DDS, individually and as
Head Faculty Member, Restorative Dentistry I
1801 N. Broad Street
Philadelphia, Pa. 19122

and

TRUSTEES OF TEMPLE UNIVERSITY,
individually and in their official capacities on
behalf of Temple University, a public university
1801 N. Broad Street
Philadelphia, Pa. 19122

and

JAMES RAGU, individually and in his official
capacity as a Detective for Temple Campus Security
1801 N. Broad Street
Philadelphia, PA 19122

and

LISA NAUJOKS
1010 Arch Street, Apt. 414
Philadelphia, PA 19107

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**
CASE MANAGEMENT TRACK DESIGNATION FORM

John Doe, TUID 915019978 : CIVIL ACTION
v. :
Temple University, et al. : NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management – Cases that do not fall into any one of the other tracks. (XX)

9/3/2013

Patricia M. Hoban

Patricia M. Hoban
Attorney-at-law

John Doe, TUID 915019978
Attorney for Plaintiff

(215) 854-6332
Telephone

(267) 639-6316
FAX Number

pmhoban@hotmail.com
E-Mail Address

(Civ. 660) 10/02

UNITED STATES DISTRICT COURT
Case 2:13-cv-05156-MSG Document 1 Filed 09/04/13 Page 5 of 15

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: 6467 River Birchfield Road, Jamesville, NY 13078

Address of Defendant: 1801 N. Broad Street, Philadelphia, PA 19122 / 1010 Arch Street, Apt. 414, Philadelphia, PA 19107

Place of Accident, Incident or Transaction: Philadelphia, PA

(Use Reverse Side For Additional Space)

Does this civil action involve a non-governmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?

(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a))

Yes No

Does this case involve multi-district litigation possibilities? NO

Yes No

RELATED CASE, IF ANY:

Case Number: _____ Judge _____ Date Terminated: _____

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?

Yes No

2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?

Yes No

3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?

Yes No

4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?

Yes No

CIVIL: (Place ✓ in ONE CATEGORY ONLY)

A. *Federal Question Cases:*

1. Indemnity Contract, Marine Contract, and All Other Contracts
2. FELA
3. Jones Act-Personal Injury
4. Antitrust
5. Patent
6. Labor-Management Relations
7. Civil Rights
8. Habeas Corpus
9. Securities Act(s) Cases
10. Social Security Review Cases
11. All other Federal Question Cases
(Please specify)

B. *Diversity Jurisdiction Cases:*

1. Insurance Contract and Other Contracts
2. Airplane Personal Injury
3. Assault, Defamation
4. Marine Personal Injury
5. Motor Vehicle Personal Injury
6. Other Personal Injury (Please specify) (Premises)
7. Products Liability
8. Products Liability — Asbestos
9. All other Diversity Cases

(Please specify)

ARBITRATION CERTIFICATION

(Check Appropriate Category)

I, Patricia M. Hoban, Esquire, counsel of record do hereby certify:

Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;

Relief other than monetary damages is sought.

DATE: 9/7/2013

Patricia M. Hoban, Esquire

Attorney-at-Law

36945

Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 9/3/2013

Patricia M. Hoban, Esquire

Attorney-at-Law

36945

Attorney I.D.#

CIV. 609 (6/08)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

JOHN DOE, TUID 915019978
6467 River Birchfield Road
Jamesville, NY 13078

CIVIL ACTION

VS.
TEMPLE UNIVERSITY
1801 N. Broad Street
Philadelphia, PA 19122

JURY TRIAL DEMANDED

and

KORNBERG SCHOOL OF DENTISTRY
TEMPLE UNIVERSITY
1801 N. Broad Street
Philadelphia, PA 19122

and

NEIL D. THEOBALD, individually and as
President of Temple University
1801 N. Broad Street
Philadelphia, PA 19122

and

AMID I. ISMAIL, BDS, MPH, MBA, Dr PH, individually
and Dean, Kornberg School of Dentistry Temple University
1801 N. Broad Street
Philadelphia, PA 19122

and

DEAN AINSLEY CARRY, individually and as
Dean of Student Affairs
1801 N. Broad Street
Philadelphia, PA 19122

and

ANDREA CAPORALE SEISS, individually and as
Senior Associate Dean of Students
1801 N. Broad Street
Philadelphia, PA 19122

and

THERESA A. POWELL, individually and as
Vice-President for Student Affairs
1801 N. Broad Street
Philadelphia, PA 19122

and

REBEKA RHODES, individually and as Student Conduct
Administrator for Student Affairs
1801 N. Broad Street
Philadelphia, PA 19122

and

THE TEMPLE UNIVERSITY REVIEW
BOARD, and its members
1801 N. Broad Street
Philadelphia, PA 19122

and

Lisa P. Deem, DMD, JD, individually and as
Associate Dean For Admissions, Diversity and Student
Services Faculty Ombudsperson
1801 N. Broad Street
Philadelphia, PA 19122

and

Tom M. Johnson, individually and as, Program
Coordinator for the Office of Student Conduct
and Community Standards
1801 N. Broad Street
Philadelphia, PA 19122

and

Elizabeth Mannion, individually and as
Chair of the University Disciplinary Board
1801 N. Broad Street
Philadelphia, PA 19122

and

Hana Hasson, DDS, individually and as
Head Faculty Member, Restorative Dentistry I
1801 N. Broad Street
Philadelphia, Pa. 19122

and

TRUSTEES OF TEMPLE UNIVERSITY,
individually and in their official capacities on
behalf of Temple University, a public university
1801 N. Broad Street
Philadelphia, Pa. 19122

and

JAMES RAGU, individually and in his official capacity as a Detective for Temple Campus Security
1801 N. Broad Street
Philadelphia, PA 19122

and

LISA NAUJOKS
1010 Arch Street, Apt. 414
Philadelphia, PA 19107

: NO:

COMPLAINT - CIVIL ACTION

INTRODUCTION

Plaintiff, John Doe, Temple ID 915019978 (hereinafter "Doe"), by and through his undersigned counsel hereby asserts the following claims against the defendants in the above matter:

- (1) violation of 42 U.S.C. 1983: arrest;
- (2) violation of 42 U.S.C. 1983: detention and confinement;
- (3) violation of 42 U.S.C. 1983: conspiracy;
- (4) violation of 42 U.S.C. 1983: refusing or neglecting to prevent;
- (5) malicious prosecution;
- (6) malicious abuse of process;
- (7) violation of Pennsylvania Civil Rights Act;
- (9) negligence; and
- (10) negligent infliction of emotional distress.

JURISDICTION

1. The Federal District Court for the Eastern District of Pennsylvania has jurisdiction under 42 U.S.C. § 1983, and 28 U.S.C. §§ 1343(3) and 1343(4).
2. Jurisdiction of this court arises under 28 U.S.C. secs 1331, 1337, 1343(a), and

1367(a); 42 U.S.C. secs. 1983, 1985, 1986, and 1988; and 18 U.S.C. 1961-1968.

3. Jurisdiction of this court for the pendent claims is authorized by F.R.Civ.P. 18(a), and arises under the doctrine of pendent jurisdiction as set forth in *United Mine Workers v. Gibbs*, 383 U.S. 715 (1966).

4. Original diversity jurisdiction of this court arises under 28 U.S.C. secs 1332, for the following reasons:

- (a) Plaintiff is an adult individual who resides at 6467 River Birchfield Road, Jamesville, NY 13079;
- (b) All Defendants are residents of the City of Philadelphia, Commonwealth of Pennsylvania.
- (c) the amount in controversy is in excess of seventy five thousand (\$75,000.00) dollars, exclusive of interest or costs.

BACKGROUND

5. On September 25, 2012, plaintiff, John Doe, was a full time 1st year dental student enrolled in Temple University's Kornberg School of Dentistry.

6. That John Doe, is an African American student, a United States citizen born in the United States, has been treated differently because of his color, ethnicity and citizenship.

7. That John Doe, was expelled from Temple University Dental School based on the unfounded, negligent, careless and reckless phony accusations of a white female student who alleged that he engaged in lewd conduct and fondled himself in her presence and offered her money in exchange for sexual favors.

8. Plaintiff's accuser is a white woman in her early twenties from Utah and was unfamiliar with North Philadelphia, Philadelphia as a whole, and people of different races.

9. Lisa Naujok's (Plaintiff's accuser) phony accusations were colored by her own

initial prejudgments based on her personal bias and misperceptions concerning race.

10. In written and oral statements, Lisa Naujoks made prejudicial statements concerning Plaintiff's race and physical demeanor, including, but not limited to that Plaintiff looked "foreign" "different", "creepy", "weird", "odd", etc.

11. That John Doe has been treated differently because of his medical impairments.

12. In February 2012, at the age of twenty-seven (27), Plaintiff "suffered a sudden cardiac arrest due to an acute myocardial infarction (heart attack). This heart attack was caused by blood clots that completely occluded two of Plaintiff's major coronary arteries. Due to the extent of the damage to his heart from the heart attack, Plaintiff must take five (5) different medications on a daily basis. These medications affect Plaintiff's appearance, demeanor, and behavior.

13. Lisa Naujoks accusations were colored by her own initial prejuudgments based on her lack of knowledge about Plaintiff's medical condition and the medications that he takes on a daily

14. Lisa Naujoks misperceptions and misinterpretations of Plaintiff's behavior and actions were unreasonable.

15. Contrary to Lisa Naujoks statements, Plaintiff was not able to "fondle" himself on the subway train because of his above- noted medical impairments and physical limitations.

16. The accusations made by Lisa Naujoks were false and she mistook Plaintiff's otherwise harmless actions as threats to her safety.

17. That John Doe, in order to protect his constitutional rights, has filed this appeal from the actions of defendant, Temple University, and its employees, representatives and/or agents, to this expulsion and other punishments set forth in the December 4, 2012 letter from Temple and its employees.

THE PARTIES

18. Plaintiff is John Doe, Temple ID 915019978, an individual, who resides at 6467 River Birchfield Road, Jamesville, NY 13078.

19. Defendant is Temple University, which holds itself out to be a public university, owned and operated under color of State law by the Commonwealth of Pennsylvania, receiving the bulk of its funding from the Commonwealth of Pennsylvania. Its main address is 1801 N. Broad Street, Philadelphia, Pa. 19122.

20. Defendant is Kornberg School of Dentistry of Temple University, which holds itself out to be a public university, owned and operated under color of State law by the Commonwealth of Pennsylvania, receiving the bulk of its funding from the Commonwealth of Pennsylvania. Its main address is 1801 N. Broad Street, Philadelphia, Pa. 19122.

21. Defendant, Neil D. Theobald, is being sued individually and in his official capacity as President of Temple University. He maintains an office at 1801 N. Broad Street, Philadelphia, Pa. 19122.

22. Defendant, Amid I. Ismail, BDS, MPH, MBA, Dr PH, is being sued individually and in his official capacity as Dean, Kornberg School of Dentistry, Temple University. He maintains an office at 1801 N. Broad Street, Philadelphia, Pa. 19122.

23. Defendant, Dean Ainsley Carry, is being sued individually and in his official capacity as Dean of Student Affairs. He maintains an office at 1801 N. Broad Street, Philadelphia, Pa. 19122.

24. Defendant, Andrea Caporale Seiss, is being sued individually and in her official capacity as Senior Associate Dean of Students. She maintains an office at 1801 N. Broad Street, Philadelphia, Pa. 19122.

25. Defendant, Theresa A. Powell, is being sued individually and in her official capacity as Vice-President for Student Affairs. She maintains an office at 1801 N. Broad Street, Philadelphia, Pa.19122.

26. Defendant, Rebekah Rhodes, is being sued individually and in her official capacity as Student Conduct Administrator for Student Affairs. She maintains an office at 1801 N. Broad Street, Philadelphia, Pa.19122.

27. Defendants are The Temple University Review Board and its members, who are being sued individually and in their official capacities as members of The Temple University Review Board, which maintains an office at 1801 N. Broad Street, Philadelphia, Pa. 19122.

28. Defendant, Lisa P. Deem, DMD, JD is being sued individually and in her official capacity as Associate Dean for Admissions, Diversity and Student Services Faculty Ombudsperson. She maintains an office at 1801 N. Broad Street, Philadelphia, Pa. 19122.

29. Defendant, Tom M. Johnson, is being sued individually and in his official capacity as Program Coordinator for the Office of Student Conduct and Community Standards. He maintains an office at 1801 N. Broad Street, Philadelphia, Pa. 19122.

30. Defendant, Elizabeth Mannion, is being sued individually and in her official capacity as the Chair of the University Disciplinary Board. She maintains an office at 1801 N. Broad Street, Philadelphia, Pa. 19122.

31. Defendant, Hana Hasson, DDD, faculty member of Restorative Dentistry I, is being sued individually and in as the servant, agent, employee or representative of Temple Dental School. She maintains an office at 1801 N. Broad Street, Philadelphia, Pa. 19122.

32. Defendants are the Trustees of Temple University, who are being sued individually

and in their official capacities on behalf of Temple University, a public university.

33. Defendant, James Ragu, is being sued individually and in his official capacity as a Detective and litigation consultant for Temple Campus Security. He maintains an office at 1801 N. Broad Street, Philadelphia, Pa. 19122

34. Defendant, Lisa Naujoks, being sued individually. She resides at 1010 Arch Street, Apartment 414, Philadelphia, PA 19107.

FACTS OF THE CASE

A. **John Doe, Temple Dental School Student**

35. On September 25, 2012, plaintiff, John Doe, was a full time 1st year dental student enrolled in Temple University's Kornberg School of Dentistry.

36. Plaintiff moved to Philadelphia in late August, 2012 to matriculate in Dental School and had only been in the city for approximately four weeks prior to the date of the incident which is the subject matter of this complaint.

37. Prior to moving to Philadelphia, Plaintiff resided in Jamestown, New York and he received his undergraduate degree from SUNY University in New York.

38. On September 25, 2012, at approximately 7:00 p.m. Plaintiff was inside the Temple University medical school library.

39. Plaintiff left the library at approximately 7:15 p.m. with the intent to return to his apartment which was located at 1512 Spruce Street, Philadelphia, PA.

40. Plaintiff had only been in the city for approximately four weeks prior to the date of the alleged incident and had limited exposure to the city and subway lines and public transportation.

41. In error Plaintiff boarded the South Bound "Broad- Ridge Spur" instead of the

“Center City Green Line Express” as required. When Plaintiff realized his mistake, he exited the subway at the Gallery - 8th & Filbert Streets, which was the last stop on the line.

42. After, Plaintiff disembarked the train he accidentally crossed paths with Defendant, Lisa Naujoks at or near 10th and Arch Streets.

43. Plaintiff recognized Lisa Naujoks as a fellow Temple student who he had seen earlier that evening while he was at the Medical School Library. Naujoks was also on the same subway car as Plaintiff but had disembarked at an earlier stop.

44. Plaintiff acknowledged Naujoks, attempted to engage her in conversation and asked her if she was a Student at Temple Medical School. The brief exchange was inconsequential and Plaintiff left peacefully on his own accord.

45. Three (3) days later, on September 28, 2012 at approximately 1:00 p.m. Plaintiff was attending a Biochemistry review session class when two Temple Campus Security Officers came into the classroom and took Plaintiff into custody in the presence of his classmates. The officer's preceded to interrogate him and rifled through Plaintiff's belongings, including his backpack, laptop and wallet. Plaintiff was then taken to the Temple security office and detained with handcuffs for approximately five (5) hours. Plaintiff was not informed of the nature of the complaint or why he was being detained.

46. Plaintiff was held in custody for over twenty (24) hours. At the time of his arraignment, Plaintiff first learned that he was being charged with stalking (18 Pa.C.S. §2709.1), harassment (18 Pa.C.S. §2709), disorderly conduct (18 Pa.C.S. §5503), and open lewdness (18 Pa.C.S. §5901). A criminal complaint was filed under Municipal Court Docket *Commonwealth vs. John Doe (name redacted)* MC-51-CR-0039774-2012. A Redacted copy of the Criminal Dockets

is attached hereto as Exhibit "1".

47. After trial, Plaintiff was found NOT GUILTY of all charges.

48. As a result of the pending criminal charges against Plaintiff, the Temple Defendants initiated Disciplinary proceedings against Plaintiff, which resulted in the expulsion of Plaintiff from the Dental School Program.

49. Plaintiff is a twenty-eight (28) year old 6'4" black male.

50. Plaintiff had no disciplinary issues of any kind prior to the incident which is the subject of this complaint.

51. In February 2012, at the age of twenty-seven (27), Plaintiff "suffered a sudden cardiac arrest due to an acute myocardial infarction (heart attack). This heart attack was caused by blood clots that completely occluded two of Plaintiff's major coronary arteries.

52. Plaintiff's hospitalization at that time of the heart attack was complicated by a pulmonary embolism, a massive blood clot to his lungs.

53. Due to the extent of the damage to his heart from the heart attack, Plaintiff now has a reduced cardiac ejection fraction, which is another term for systolic heart failure." As a result of this medical conditions, and the significant damage to his heart, Plaintiff must take five (5) different medications on a daily basis. These medications include a beta blocker, Clopidogrel, Metoprolol (which is known to cause ED), Warfarin, and Atorvastatin.

54. Plaintiff is heavily medicated as noted above and these medications affect his appearance, demeanor, and behavior.

55. The side effects of these medications, combined with the symptoms of Plaintiff's reduced heart function, have resulted in Plaintiff experiencing fatigue, decreased endurance, loss of